

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

LG CAPITAL FUNDING, LLC

Plaintiff,

v.

DOMARK INTERNATIONAL, INC.

Defendant.

Civil Action No.: 1:21-cv-5556 (PKC)

Default Judgment

This matter, having been commenced on April 25, 2021 by filing of a Summons and Complaint, the Court finds as follows:

1. Defendant Domark International, Inc. was served vis-à-vis TJ Fletcher who is designated to accept service on behalf of Defendant's Registered Agent, Registered Agents Inc. on July 22, 2021, and its Answer to the Complaint was due on or before August 8, 2021. Dkt. 7.
2. Defendant failed to Answer, and Plaintiff requested a Certificate of Default from the Clerk of this Court on September 22, 2021, which was issued on the same day. Dkts. 8-10.
3. Defendant is a corporation, and therefor is not a minor, is not incompetent, and is not a member of the military. Lerman Decl., ¶ 3.
4. On December 16, 2021, Plaintiff moved for Default Judgment, supported by the Declaration of Kevin Kehrli, and exhibits, and the Declaration of Joseph Lerman.
5. Contained in the Complaint and the Declaration of Joseph Lerman are well-pleaded allegations supporting Plaintiff's motion for default judgment on its claim of breach of contract against Defendant.

6. The terms of the Notes, as well as the evidence provided in the Declaration of Joseph Lerman, support a finding of damages in the amount of \$494,918.15 as of December 16, 2021, as well as daily interest of \$133.96 from December 17, 2021 to the date of entry of judgment.

7. The well-pleaded allegations in the Complaint and the Declaration of Joseph Lerman also support of a finding that Plaintiff is entitled to its costs and attorneys' fees incurred in conjunction with this action pursuant to the terms of the notes.

8. In conjunction with Plaintiff's motion, it submitted contemporaneous time records supporting Plaintiff's request for \$2,750.00 in attorneys' fees, on the basis of 11 hours of work at a rate of \$250.00 per hour, which the Court finds reasonable both in terms of counsel's rate within this District and time spent prosecuting this matter.

9. Finally, Plaintiff submitted a receipt for service of process showing that \$119.40 was paid to serve the Summons and Complaint of Defendant, and the record shows a filing fee of \$402.00 was paid to commence this action.


THEREFORE, it is ORDERED, ADJUDGED, and DECREED: That the Court enter judgment against Defendant:

- i. For damages in the amount of \$494,918.15;
- ii. Continuing interest in the amount of \$133.96 per day, totaling \$4554.64 from December 17, 2021 to date of judgment;
- iii. For attorneys' fees in the amount of \$2,750.00 and,
- iv. For costs in the amount of \$521.40.

The telephonic conference set for January 24, 2022 at 11:30 a.m. is vacated. The Clerk of the Court is directed to terminate the motion (Doc 14) and close the case.

SO ORDERED.

DATED: New York, New York
January 20, 2022



P. Kevin Castel
United States District Judge